

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

IPVX PATENT HOLDINGS, INC., *et al.*

vs.

ALTIGEN COMMUNICATIONS, INC.,
et al.

KLAUSNER TECHNOLOGIES, INC.,
a New York corporation, and
IPVX PATENT HOLDINGS, INC.,
a Delaware corporation,

vs.

APPLIED VOICE & SPEECH
TECHNOLOGIES, INC., a Delaware
corporation,

CASE NO. 6:11-cv-00568-LED

(Lead Case for Severance and
Reconsolidation)

JURY TRIAL DEMANDED

CASE NO. 6:12-cv-00168-LED

(Consolidated with Above)

JURY TRIAL DEMANDED

AGREED MOTION TO DISMISS WITH PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41, Plaintiffs Klausner Technologies, Inc. and IPVX Patent Holdings, Inc. (“Plaintiffs”) and Defendant Applied Voice & Speech Technologies, Inc. (“AVST”) respectfully move the Court to enter the attached Agreed Order of Dismissal with Prejudice.

Accordingly, the parties respectfully move the Court to order that the parties hereby agree and stipulate on the terms and conditions of the Settlement Agreement as follows:

1. All claims in this action as between Plaintiffs and AVST are dismissed with prejudice.
2. Each party shall bear its own respective costs and attorney’s fees in connection with this case.

Approved as to form and substance on July 3, 2013.

<p>IPVX PATENT HOLDINGS, INC. and KLAUSNER TECHNOLOGIES, INC.</p> <p>By its attorneys,</p> <p><u>/s/ Pierre R. Yanney</u></p> <p>Sidney Calvin Capshaw, III State Bar No. 03783900 Capshaw DeRieux, LLP 114 E. Commerce Ave. Gladewater, Texas 75647 Telephone: (903)-233-4826 Facsimile: (903)-236-8787 Email: ccapshaw@capshawlaw.com</p> <p><i>Of Counsel:</i></p> <p>Pierre R. Yanney State Bar No. 033391993 Email: pyanney@stroock.com STROOCK & STROOCK & LAVAN LLP 180 Maiden Lane New York, N.Y. 10038 Tel: (212) 806-5400 Fax: (212) 806-6006</p>	<p>APPLIED VOICE & SPEECH TECHNOLOGIES, INC.</p> <p>By its attorneys,</p> <p><u>/s/ Cecil E. Key (with permission)</u></p> <p>Cecil E. Key (VA Bar No. 41018) (Admitted <i>Pro Hac Vice</i>) LAW OFFICES OF CECIL KEY, LLC 1934 Old Gallows Road, Suite 350 Vienna, VA 22182 Telephone: (703) 752-6276 Facsimile: (703) 752-6201 Email: cecil@keyiplaw.com</p> <p>Melvin R. Wilcox, III YARBROUGH WILCOX PLLC 100 E. Ferguson, Suite 1015 Tyler, Texas 75757 Telephone: (903) 595-3111 Facsilile: (903) 595-0191 Email: mrw@yw-lawfirm.com</p>
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document this 3rd day of July, 2013, via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Pierre R. Yanney

CERTIFICATE OF CONFERENCE

In compliance with Local Rule CV-7(h), I hereby certify that counsel for Plaintiffs conferred with counsel for Applied Voice & Speech Technologies, Inc. and this motion is agreed.

/s/ Pierre R. Yanney